

Administration of Joseph R. Biden, Jr., 2022

Remarks on Signing the Respect for Marriage Act
December 13, 2022

Vice President Kamala D. Harris. Good afternoon, everyone. Good afternoon. Let me start by thanking Heidi and Gina for your courage and your leadership and your devotion to our country.

President Biden, members of our Cabinet, Members of Congress, and my fellow Americans, please have a seat. [*Laughter*]

You know, I often reflect on the week of Valentine's Day 2004, when I had the honor to stand in San Francisco City Hall and perform some of our country's first marriages of same-sex couples.

I saw tears of joy that day as people celebrated basic human rights: the right to be recognized as a family; the right to be with the person you love, whether at a military graduation, a hospital bedside, or a naturalization ceremony.

I also think back to June 28, 2013, when after we won the fight to strike down Proposition 8—[*applause*—and I had the privilege and honor to pronounce my friends Kris Perry and Sandy Stier spouses for life, again, at San Francisco City Hall, and this time it was on the Harvey Milk Balcony. And Kris and Sandy are here today with their four sons Elliot, Frank, Spencer, and Tom.

And of course, then, let us think about today: December 13, 2022, a day when, thanks to Democrats and Republicans, we finally protect marriage rights in Federal law. For millions of LGBTQI+ Americans and interracial couples, this is a victory. And it is part of a larger fight. The *Dobbs* decision reminds us that fundamental rights are interconnected, including the right to marry who you love, the right to access contraception, and the right to make decisions about your own body.

So, to continue to protect fundamental rights, let us continue to stand together, because that is the beauty of the coalition assembled here today who fight for equality as activists and allies and parents and neighbors and young leaders. And as the great Harvey Milk once said, I quote, "Rights are won only by those who make their voices heard."

And because you made your voices heard, marriages are more secure, and Joe Biden is our President, a President who elevated LGBTQI+ leaders to every level of our administration, who fights for the safety and freedom and dignity of all people every single day.

And so, with pride, let us welcome the President of the United States, Joe Biden.

The President. Hello, hello, hello!

Well, today is a good day, a day America takes a vital step toward equality, toward liberty and justice, not just for some, but for everyone—everyone; toward creating a nation where decency, dignity, and love are recognized, honored, and protected. Today I sign the Respect for Marriage Act into the law.

Deciding whether to marry, who to marry is one of the most profound decisions a person can make. And as I've said before, and some of you might remember, on a certain TV show 10 years ago—[*laughter*—I got in trouble. [*Laughter*] Marriage—I mean this with all my heart—marriage is a simple proposition: Who do you love, and will you be loyal to that person you love? It's not more complicated than that.

And the law recognize that everyone should have the right to answer those questions for themselves without the government interference. It also secures the Federal rights, protections that come with marriage, like when your loved one gets sick and you've legally recognized as a next of kin.

For most of our Nation's history, we denied interracial couples and same-sex couples from these protections. We failed. We failed to treat them with an equal dignity and respect. And now the law requires that interracial marriage and same-sex marriage must be recognized as legal in every State in the Nation.

I want to thank all of you for being here today, for being part of this important movement. Jill, Kamala, Doug, my Cabinet members, including Pete Buttigieg. And a special thanks to our performers, Joy, Sam, and Cyndi. Look, you know—and the Gay Man's Choir [Men's Chorus; White House correction] of Washington, DC—the Gay Men's marriage—Choir.

And the Members of Congress here today. In the Senate, this bipartisan vote simply would not have happened without the leadership and persistence of a real hero: Tammy Baldwin—Senator Tammy Baldwin. And thank you, Susan Collins, who did not rest until this bill got done; and to Leader Schumer; Senators Portman, Sinema, Tillis, Feinstein, and Booker.

And in the House, this would not have happened—as much wouldn't have happened without Nancy Pelosi, the Speaker. Equality and dignity for the LGBT community has always been her North Star, from her first speech on the House floor pledging to end AIDS and signaling the bill—and signing the bill today. All that time span.

Madam Speaker, on behalf of all Americans, thank you for this and so much more, for your decades of service. *[Applause]*

We also owe our special thanks to Representatives like Jerry Nadler, who first introduced the Respect for Marriage Act a decade ago; David Cicilline and Sharice Davids, as leaders of the Equality Caucus; and so many others, many of whom are here today, who did what was right.

Standing behind me are dozens of plaintiffs, up there—don't jump—*[laughter]*—are dozens of plaintiffs who fought for marriage equality through the years, as well as families whose existence would not be possible without the bonds of love and this law honors and protects.

Look, we're here today to celebrate their courage and everyone who made today possible. Courage that led to progress we've seen over the decades. Progress that gives us hope that every generation will continue our journey toward a more perfect Union.

On this day, I think of Mildred and Richard Loving, a young woman of color and a young White man. They met as family friends and eventually fell in love. In 1958, they drove to Washington, DC, to get married because their relationship was illegal in Virginia. They went back home. Five weeks later, police burst into their house and arrested them for the crime of being married. The crime of being married.

They were sentenced to 1 year in prison unless they agreed to leave Virginia and not return for 25 years. They appealed the sentence. And it wasn't—it took until 9 years later, in 1967, the Supreme Court of the United States ruled unanimously. It declared that laws against interracial marriage were unconstitutional.

And today—today—we're joined by one of the lawyers who represented the Lovings and the widow of their other lawyer that took the fight to the highest Court because they believed their love should not be criminalized, but should be honored and respected.

As Mildred Loving said, previous generations were, quote, "bitterly divided over something that should have been so clear and right." So clear and right. No one could put it better. And later,

Mildred fought [for; White House correction] something else that's so clear and right: marriage equality for LGBTQ Americans.

And today we celebrate our progress: From Hawaii, the first State to declare that denying marriage of same-sex couples was unconstitutional; to Massachusetts, the first State to legalize marriage equality for couples like Gina and Heidi, who just—you just heard from; to all the advocates——

[At this point, the President coughed.]

Excuse me—who worked to block or overturn State bans.

As you heard earlier, Vice President Harris took a stand as attorney general in California. Talked earlier. Others also spoke out. One of them was my son Beau Biden, who was attorney general of the State of Delaware, who filed the amicus brief with the Supreme Court in favor of marriage equality and pushed to add gender identity protections into the law as well.

Today we remember Edie Windsor and her partner Thea. In 1965, they met in their thirties. They fell in love. Secretly—secretly got engaged. And Edie wore an engagement pin, rather than a ring, to avoid questions.

They had 40 wonderful years together, and then Thea was diagnosed with MS, and Edie became her full-time caregiver. They went to Canada, and they got married. As Edie would say, "Don't postpone joy."

And then Thea died soon after. Giving Edie—a grieving Edie learned, since their marriage was legally—illegal—wasn't legally recognized, she would have to pay \$360,000 in estate taxes. Viewed as strangers, rather than partners, for four decades. Simply unconscionable and unacceptable. So Edie took her case to the Supreme Court, and she won.

Before Edie passed away, she fell in love again at age 87—finally experienced the joy and dignity of a legally recognized marriage to Judith. Judith is here today with us. Judith, are you up there?

Also here today are many of the 16 plaintiffs in the same-sex marriage case that helped bring us here. They were subjected to intense public scrutiny and harassment, physical threats and violence for years, as their cases made their way through the courts.

Jim couldn't be here today, but he and I spoke on that day in June 19—2015 when he was on the steps of the Supreme Court. I called him right after that historic victory, a victory not just for the plaintiffs, but for the whole country and, I would argue, for the world.

My fellow Americans, the road to this moment has been long. But those who believed in equality and justice, you never gave up. Many of you standing on the South Lawn here, so many of you put your relationships on the line, your jobs on the line, your lives on the line to fight for the law I'm about to sign.

From me and the entire Nation, thank you, thank you, thank you.

It's one thing—it's one thing—for the Supreme Court to rule on a case, but it's another thing entirely if elected representatives of the people to take a vote on the floor of the United States Congress and say loudly and clearly: Love is love. Right is right. Justice is justice. These things are fundamental things that America thinks matter.

So, sadly, we must also acknowledge another reason we're here. Congress is acting because an extreme Supreme Court has stripped away the right important to millions of Americans that existed for half a century: the *Dobbs* decision, the Court's extreme conservative majority overturned *Roe v. Wade* and the right to choose.

In his concurring opinion, Justice Thomas went even further and he wrote the following: Quote, "We should reconsider all of [the; White House correction] Court's substantive due process precedents, including *Griswold*, *Lawrence* . . . *Obergefell*."

That means he thinks we should reconsider whether you've got the right to access to contraception and, yes, we should "reconsider" whether you have the right to marry who you love. And that's not only the challenge ahead.

When a person can be married in the morning and thrown out of a restaurant for being gay in the afternoon, this is still wrong. Wrong. And that's why the people you heard speak today continue to fight to pass the Equality Act.

When hospitals, libraries, and community centers are threatened and intimidated——

[*The President coughed.*]

Excuse me—because they support LGBTQ children and families, we have to speak out. We must stop the hate and violence like we just saw in Colorado Springs, where a place of acceptance and celebration was targeted for violence and terror.

We need to challenge the hundreds of callous and cynical laws introduced in the States targeting transgender children, terrifying families, and criminalizing doctors who give children the care they need. And we have to protect these children so they know they are loved and that we will stand up for them and say they can seek for themselves.

Folks, racism, anti-Semitism, homophobia, transphobia—they're all connected. But the antidote to hate is love. This law, and the love it defends, strike a blow against hate in all its forms. And that's why this law matters to every single American, no matter who you are or who you love.

This shouldn't be about conservative or liberal, red or blue. No, this is about realizing the promise of the Declaration of Independence, a promise rooted in the sacred and secular beliefs; a promise that we're all created equal, we're all entitled to what Abraham Lincoln called "an open field and a fair chance."

You know, there's nothing more decent, more dignified, and more American that we're about—what we're doing here today. It's about who we are as a nation. It's about the substance of our laws. It's about being true to the best of the soul of America. Decency. Dignity. Love.

Let me close with something else that happened on the same day that Congress sent me this bill. Brittney Griner was finally on her way home. I got to know her incredible wife as we worked to bring Brittney home from her unjust imprisonment in Russia. We were together in the Oval Office—her wife and I—when we heard Brittney's voice on the phone when she was freed. And we addressed the Nation together. When we did that, Brittney's wife said, quote, "Today, my family is whole."

My fellow Americans, that all-consuming, life-altering love and commitment—that's marriage.

Thank you to everyone on the hard-fought victory generations in the making. It's been a long road, but we got it done. And we're going to continue the work ahead, I promise you.

God bless you all, and may God protect our troops.

And now, let me sign the Respect for Marriage Act into law.

[*The President signed the bill.*]

NOTE: The President spoke at approximately 4:05 p.m. on the South Lawn at the White House. In his remarks, he referred to Douglas C. Emhoff, husband of Vice President Harris; musicians Joy Oladokun, Samuel F. Smith, and Cyndi Lauper; Philip J. Hirschkop, attorney, American Civil Liberties Union, who served as cocounsel for the plaintiffs in the 1967 U.S. Supreme Court case *Loving v. Virginia*; Rae A. Cohen, wife of Bernard S. Cohen, cocounsel for the plaintiffs in *Loving*; Gina and Heidi Nortonsmith, plaintiffs in the 2003 Massachusetts Supreme Judicial Court case *Hillary Goodridge et al. v. Massachusetts Department of Public Health*; Judith M. Kasen-Windsor, wife of Edith Windsor, lead plaintiff in the 2013 U.S. Supreme Court case *United States v. Windsor*; James Obergefell, plaintiff in the 2015 U.S. Supreme Court case *Obergefell v. Hodges*; and Women's National Basketball Association player Brittney Y. Griner, who was released from Russian custody on December 8, and her wife Cherelle. He also referred to H.R. 5. Vice President Harris referred to Elliott and Spencer Perry and Frank and Tom Stier, sons, respectively, of Kris Perry and Sandy Stier, plaintiffs in the 2013 U.S. Supreme Court case *Hollingsworth v. Perry*. H.R. 8404, approved December 13, was assigned Public Law No. 117–228. The transcript was released by the Office of the Press Secretary on December 14.

Categories: Bill Signings and Vetoes : Respect for Marriage Act, signing remarks.

Locations: Washington, DC.

Names: Baldwin, Tammy S.; Biden, Jill T.; Booker, Cory A.; Buttigieg, Peter P.M.; Cicilline, David N.; Cohen, Rae A.; Collins, Susan M.; Davids, Sharice L.; Emhoff, Douglas C.; Feinstein, Dianne; Griner, Brittney Y.; Griner, Cherelle T.; Harris, Kamala D.; Hirschkop, Philip J.; Kasen-Windsor, Judith M.; Lauper, Cyndi; Nadler, Jerrold L.; Nortonsmith, Gina; Nortonsmith, Heidi; Obergefell, James; Oladokun, Joy; Pelosi, Nancy; Portman, Robert J.; Schumer, Charles E.; Sinema, Kyrsten L.; Smith, Samuel F.; Thomas, Clarence; Tillis, Thomas R.

Subjects: Bipartisanship; Colorado, shooting in Colorado Springs; Congressional LGBTQ+ Equality Caucus; Equality Act; HIV/AIDS prevention and treatment efforts; Interracial marriage, legal protection efforts; Lesbian, gay, bisexual, and transgender persons, equality; Respect for Marriage Act; Russia, release of U.S. citizen from detention; Same-sex marriage; Secretary of Transportation; Senate majority leader; Speaker of the House of Representatives; Supreme Court Associate Justice; U.S. Supreme Court opinion overturning 1973 decision in *Roe v. Wade*; Vice President.

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